

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2021 JAN -4 A 9:47

CLERK J. Hodge  
SO. DIST. OF GA.

TEKELIA PRESTON,

Plaintiff,

v.

HELTON HALL,

Defendant.

CIVIL ACTION NO.: 6:20-cv-42

**ORDER**

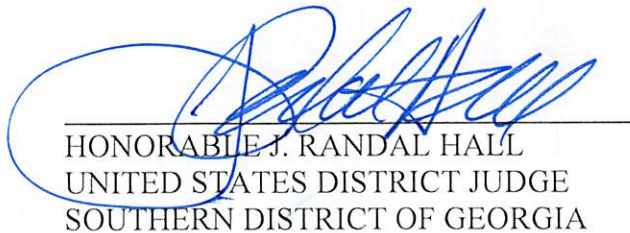
Presently before the Court are Plaintiff's Objections to the Magistrate Judge's Report and Recommendation dated December 16, 2020. Doc. 13. The Magistrate Judge recommended the Court dismiss Plaintiff's false imprisonment claim because Plaintiff's claim is barred by the applicable statute of limitations. Doc. 12 at 2. As the Magistrate Judge explained, Plaintiff's claims arise from alleged unlawful imprisonment from April 2015 to July 2015, but Plaintiff did not file his Complaint until April 2020. Id. at 3–4. Further, the Magistrate Judge determined there was no basis for tolling Plaintiff's claim. Id. at 4. Thus, the Magistrate Judge determined Plaintiff filed after the two-year statute of limitations expired. Id.

In his Objections to the Report and Recommendation, Plaintiff argues there is no statute of limitations on his constitutional rights. Doc. 13 at 2. This argument is without merit. Additionally, Plaintiff appears to concede the statute of limitations on his claim started to run the same day the Magistrate Judge determined, on July 4, 2015. Id. at 3.

After an independent and de novo review of the entire record, the Court **OVERRULES** Plaintiff's Objections. Doc. 13. The Court **CONCURS** with the Magistrate Judge's Report and

Recommendation and **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. Thus, the Court **DISMISSES** Plaintiff's Complaint, **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal, and **DENIES** Plaintiff leave to proceed *in forma pauperis* on appeal.

**SO ORDERED**, this 4<sup>th</sup> day of January, 2021.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA